

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

AUG 31 2017

Clerk, U.S. District Court
District Of Montana
Billings

MAJESTIC HOMES, INC.,

Plaintiff,

vs.

ROSE HURT,

Defendants.

CV 16-08-BLG-SPW

ORDER ADOPTING
MAGISTRATE'S FINDINGS
AND RECOMMENDATIONS

Before the Court are United States Magistrate Judge Timothy Cavan's Findings and Recommendations filed on August 16, 2017. (Doc. 32). Judge Cavan recommends that this Court grant Majestic Homes' motion for partial summary judgment (Doc. 16).

Pursuant to 28 U.S.C. § 636(b)(1), the parties were required to file written objections within 14 days of the filing of Judge Cavan's Findings and Recommendations. No objections were filed. When neither party objects, this Court reviews Judge Cavan's Findings and Recommendations for clear error.

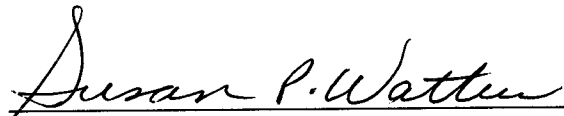
McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d

422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendations, this Court does not find that Judge Cavan committed clear error.

IT IS ORDERED that the proposed Findings and Recommendations entered by United States Magistrate Judge Cavan (Doc. 32) are ADOPTED IN FULL.

IT IS FURTHER ORDERED that Majestic Homes' motion for partial summary judgment (Doc. 16) is GRANTED.

DATED this 31st day of August, 2017.



SUSAN P. WATTERS
United States District Judge